

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, Biloxi Medical Center. Justification for Other Than Full and Open Competition for 2237# 520-12-3-9342-0086.

**2. Nature and/or Description of the Action Being Processed:** Cirrus HD-OCT Model 4000 Version 6.0, printer and table. This requirement is an addition to existing Cirrus HD-OCT Imaging System and related software and accessories already owned and operated by the VA Gulf Coast Veterans Health Care System. A firm-fixed price commodities contract is contemplated.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** One each Cirrus HD-OCT Model 4000 Version 6.0, printer and table. The organization also needs Installation and Training by Carl Zeiss Meditec Representatives, two Service Manuals and two Operator Manuals, and a one-year Parts and Labor Warranty. The total estimated value of the acquisition is \$ e delivery date is 30 days After Receipt of Order (ARO).

**4. Statutory Authority Permitting Other than Full and Open Competition:**

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;  
( ) (2) Unusual and Compelling Urgency per FAR 6.302-2;  
( ) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;  
( ) (4) International Agreement per FAR 6.302-4  
( ) (5) Authorized or Required by Statute FAR 6.302-5;  
( ) (6) National Security per FAR 6.302-6;  
( ) (7) Public Interest per FAR 6.302-7;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

**Only One Responsible Source (FAR 6.302-1)** – The VAGCVHCS' Ophthalmology Department currently owns and operates existing Cirrus HD-OCT Imaging System manufactured by Carl Zeiss Meditec and sold exclusively through Metro Medical Equipment and Supply. For continuity of research and for continuity of patient care, it is critical that our ophthalmologists utilize the exact same highly specialized equipment throughout the department. The only other alternative would be to replace existing ophthalmology equipment in addition to procuring the new equipment that is required. This would then, in-effect, double the cost of the VA's

requirement because not only would we have to purchase the new equipment but we would also have to purchase other equipment to replace the existing equipment so that all of the equipment would be the same and from the same manufacturer.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This requirement will be initially posted on the Federal Business Opportunities website in a Pre-Solicitation Notice stating that we intend to negotiate directly with Metro Medical Equipment and Supply on a sole-source basis. We will correspond with any other companies that express an interest in this requirement.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The undersigned contracting officer does not anticipate any problems with determining the anticipated cost of this requirement to be fair and reasonable. The contracting officer will seek copies of published price lists that reflect the prices being advertised for the equipment. In the absence of any published price lists, the contracting officer will seek copies of contracts, purchase orders, or invoices that reflect the same or similar equipment that was sold to other Government or commercial customers.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Comprehensive Market Research was conducted on this equipment. This optical equipment is not available from any GSA or FSS Schedules. The Cirrus HD-OCT Imaging System is trademarked and is the proven standard of care OCT system for comprehensive retina and glaucoma management from Carl Zeiss Meditec, Inc. Cirrus HD-OCT Imaging System is the gold standard in-vivo imaging device for the posterior segment and offers proven reproducibility for disease management.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** The manufacturer of this equipment, Carl Zeiss Meditec, was contacted on 15 May 2012 for information regarding the procurement of this item. Metro Medical is the sole distributor to all Government Accounts for these products.


**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** If any other commercial sources of supply express an interest in this acquisition from viewing the Federal Business Opportunities website Pre-Solicitation posting, we will correspond with them concerning this requirement.

**11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** If further expansion at the Biloxi VA occurs or if a total replacement of current ophthalmology equipment becomes necessary because of newer technology, we will research other company's equipment and related products available in the commercial marketplace and on VA and GSA Federal Supply Schedules in order to maximize competition.

**12. Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my



cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
C. NEAL ELLIS, MD  
CHIEF SURGERY SERVICE  
VAGCVHCS - BILOXI MEDICAL CENTER

6/6/12  
Date


**13. Approvals in accordance with FAR 6.304**

**a. Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

*MB*  
  
CATHY M. GILL  
CONTRACT SPECIALIST  
BILOXI. NETWORK 16 CONTRACTING ACTIVITY

6/27/12  
Date

**b. CHIEF P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
DONNA FRAZZA  
CHIEF, PURCHASING AND CONTRACTING  
BILOXI. NETWORK 16 CONTRACTING ACTIVITY

 6/27/12  
Date